

Senate Bill 211

By: Senators Harper of the 7th, Wilkinson of the 50th, Black of the 8th, Anderson of the 24th, Walker III of the 20th and others

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

To amend Article 4 of Chapter 2 of Title 26 of the Official Code of Georgia Annotated, relating to advertisement and sale of meat generally, so as to render unlawful the representation of nonanimal products and non-slaughtered animal flesh as meat; to provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 4 of Chapter 2 of Title 26 of the Official Code of Georgia Annotated, relating to advertisement and sale of meat generally, is amended by revising Code Section 26-2-152 of the Official Code of Georgia Annotated, relating to advertisement or sale of beef, pork, and lamb, and "bait and switch" advertising, as follows:

"26-2-152.

(a) It shall be unlawful for any person, partnership, firm, company, or corporation to advertise, sell, or offer for sale any carcass cuts of beef, pork, or lamb without prominently disclosing the price per pound of such beef, pork, or lamb in all such advertisements or on the packaging or display case in which the meat is displayed or offered for sale. This Code section shall not apply to the sale of beef, pork, or lamb when sold for immediate consumption on the premises or where sold as an unpackaged, cooked food or where sold for purposes other than for human consumption.

(b) It shall be unlawful for any person, partnership, firm, company, or corporation to employ 'bait and switch' advertising or sales techniques in connection with the sale of beef, pork, or lamb or to use any other advertising or sales technique which is calculated to deceive, or which in fact deceives, purchasers of beef, pork, or lamb as to what they are purchasing or its quality or quantity. 'Bait and switch' as used in this subsection shall mean, but shall not be limited to, the advertising of products with the intent not to sell the products as advertised; or advertising products with the intent not to supply reasonably expected public demand, unless the advertisement discloses a limitation of quantity; or

advertising a product which by accepted standards is inferior, with the expectation of switching the consumer to a product of accepted standard at a higher price.

(c)(1) As used in this subsection the term:

(A) 'Animal' means any animal, including cattle, swine, sheep, goats, fish, and poultry, including eggs, raised for the production of an edible product or products intended for human consumption. The term also includes 'game animals' as such term is defined in Code Section 27-1-2.

(B) 'Food' means articles used or processed for human consumption and components of any such articles.

(2) It shall be unlawful for any person, partnership, firm, company, or corporation to label, advertise, or otherwise represent any food produced or sold in this state as meat, beef, pork, or any other such term generally utilized to describe animal based food, unless at least 90 percent of such food is composed of the flesh, offal, or other by-product of any part of the carcass of a live animal that has been slaughtered.

(3) It shall be unlawful for any person, partnership, firm, company, or corporation to label, advertise, or otherwise represent any food produced or sold in this state as meat, beef, pork, or any other such term generally utilized to describe animal based food if any portion of such food contains cultured animal tissue produced from in vitro animal cell cultures outside of the organism from which it is derived."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.